

Message Text

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PAGE 01 THE HA 06861 141931Z
ACTION DLOS-06

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DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00
H-01 INR-07 INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01
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FM AMEMBASSY THE HAGUE
TO SECSTATE WASHDC 9577
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C O N F I D E N T I A L THE HAGUE 6861

FROM AMBASSADOR FOR DEPUTY SECRETARY

E.O. 11652: GDS
TAGS: PLOS NL
SUBJECT: STRATEGY FOR INTERSESSIONAL CONSULTATIONS ON LAW
OF THE SEA

REF: STATE 298001

1. DUTCH HAVE PLAYED ACTIVE ROLE IN ALL PHASES OF LOS
NEGOTIATIONS. THEIR POSITIONS ARE CAREFULLY COORDINATED
WITHIN THE EC-9. THE KEY PLAYERS ARE, I SUSPECT, AS WELL
KNOWN TO D/LOS AS THEY ARE TO US.

2. ALTHOUGH GON HAS SOLICITED ADVICE FROM OUTSIDE GOVERNMENT
ON LOS QUESTIONS IN PAST, IT HAS NOT ESTABLISHED A WORKING
GROUP OR TASK FORCE AS IT HAS IN SOME OTHER CASES (DISARM-
AMENT, DEVELOPMENT AID, ETC.). FOREIGN MINISTRY HAS COOR-
DINATING ROLE FOR GON AND, DEPENDING ON THE PARTICULAR LOS
QUESTION, RECEIVES ADVICE FROM ANY OF MINISTRIES CONCERNED
(DEFENSE, ECONOMIC AFFAIRS, AGRICULTURE AND FISHERIES, HEALTH
AND ENVIRONMENT, JUSTICE) OR, LESS FREQUENTLY, FROM UNIVERSITIES
AND INDUSTRY (SHIP BUILDERS, OPERATORS, MINING INTERESTS).

3. ULTIMATE POLICY MAKING RESPONSIBILITY LIES WITH MINISTERS
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PAGE 02 THE HA 06861 141931Z

HEADING DEPARTMENT CONCERNED AND WITH CABINET AS A WHOLE.

MOST GUIDANCE AND DECISION MAKING EMANATES FROM MINISTRY OF FOREIGN AFFAIRS. FOLLOWING ARE KEY OFFICIALS ON LOS QUESTIONS: OVERALL: STATE SECRETARY KOOIJMANS, LEGAL ADVISOR RIPHAGEN, ASSISTANT LEGAL ADVISOR BOS, AND IO LEGAL AFFAIRS CHIEF WALKATE. PARTICULAR EXPERTISE: COMMITTEE I, SONDAAL; COMMITTEE II, BOS; COMMITTEE III, WALKATE. DUTCH CONCENTRATE THEIR EXPERTISE IN DELEGATION. AS A RESULT, DELEGATION HAS SUFFICIENT FLEXIBILITY TO NEGOTIATE. MAJOR CHANGES WOULD, OF COURSE, NEED TO REFERRED BACK TO THE HAGUE, AND TO EC-9. RIPHAGEN'S APPOINTMENT TO INTERNATIONAL LAW COMMISSION MAY MAKE HIM LESS AVAILABLE FOR DAY TO DAY DETAILS OF LOS WORK THAN IN THE PAST, ALTHOUGH HE HAS TOLD US HE JUST EXPECTS TO ADD THAT JOB TO HIS ALREADY PACKED WORK LOAD.

4. DUTCH HAVE APPRECIATED PAST CONSULTATIONS WITH US BEFORE AND DURING LOS SESSIONS. WE BELIEVE THAT FURTHER CONSULTATIONS WITH GON CAN BE USEFUL IN FURTHERING US LOS OBJECTIVES PROVIDED THEY OCCUR PRIOR TO AGREEMENT WITHIN NINE ON POLICY. APPROACHES TO DUTCH COULD INVOLVE ANY OF THOSE MENTIONED IN REFTEL, BUT WE SUSPECT CONVERSATIONS BETWEEN POLICY MAKERS, SUCH AS NOV 15 DISCUSSION YOU HAD WITH KOOIJMANS, ARE MOST USEFUL. VISITS HERE IN PAST BY US LOS EXPERTS HAVE ALSO BEEN WELL RECEIVED.

5. EMBASSY IS WILLING TO GIVE ANY ASSISTANCE NEEDED TO ASSIST IN PREPARATIONS FOR NEXT ROUND OF LOS CONFERENCE. WE LOOK FORWARD TO RECEIVING DEPARTMENT'S ANALYSIS OF PROBLEMS WITH GON AND GUIDANCE.
MCCLOSKEY

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